REMARKS

This Request for Reconsideration is submitted in response to the April 8, 2004 Office Action issued in connection with the above-identified patent application. The claims pending in the subject application are claims 1-45. Claims 46-54 have been withdrawn in response to a Restriction Requirement during a March 25, 2004 telephone conference with the Examiner. Applicants reserve the right to prosecute withdrawn claims 46-54 by way of a divisional application. Claim 44 was not presented in the originally-filed application due to a claim numbering error. The claims presently pending in the subject application are independent claim 1 with claims 2-16 depending therefrom; previously amended independent claim 17 (which was amended via a June 6, 2002 Preliminary Amendment) with claims 18-19, previously-amended claim 20, and claims 21-32 depending therefrom; previously-amended claim 33 (which was also amended in the June 6, 2002 Preliminary Amendment) with claims 34-38 depending therefrom; and independent claim 39 with claims 41-43 and 45 depending therefrom. Applicants respectfully request that the Examiner review and reconsider the foregoing claims in view of the following remarks.

The present invention provides a system and method for directing network users to specific web sites for providing incentives to users in an entertaining and/educational format to encourage such users to visit third party or "target" web sites. This is generally accomplished by assigning a system user with a symbol or character icon which will be visible to a user on an interface device, such as a computer, mobile phone or other Internet accessible device. Through the interface device the user can access target web sites of subscriber advertisers connected to the Internet via an advertiser server (e.g. target web site addresses) where the user can obtain enhancement content that may pertain or relate to features, characteristics or attributes of a character

icon displayed on the user interface device. Thus, character icon functionality and attributes may be acquired by visiting various enhancement content-providing target web sites. In this manner, the present invention provides a system and method for encouraging web content browsing by presenting a unique and entertaining interactive feature associated with such browsing. This is accomplished, in accordance with the system of claim 1, by providing a user node which provides communication between a user and a network, such as the Internet, for depicting on a user interface device, a character icon. A subscriber advertiser node provides character icon enhancement authorization to the network, and a service provider server which is in communication with both the user node and the subscriber node effectuates a function on the user device pertaining to the character icon when an enhancement content corresponding to the character icon enhancement authorization is accessed.

Claim 17 is directed to a method for providing incentive for a user viewing content over a network. The method of claim 17 comprises establishing a first network connection between a user interface device and a service provider server, providing data in the form of a character icon representation to the user interface device over the first network connection, establishing a second network connection between the user interface device and a content provider for providing an enhancement authorization code to the user interface device over the second network connection, accessing the enhancement code from the user interface device, and communicating a command over the first network connection to cause a function to be performed on the user interface device.

Independent claim 33 is directed to a method of providing incentive for a user viewing content over a network and comprises the steps of establishing a first network connection between a user interface device and a service provider server, selecting a character icon from a plurality of character icons, establishing a second network connection between the user interface

device and a content provider which provides data comprising enhancement authorization codes corresponding to at least one of the character icons, determining whether any of the enhancement authorization codes correspond to the selected character icon, providing the ability to access the corresponding enhancement authorization codes to the user interface device if the authorization code corresponds to the selected icon, accessing the enhancement code from the user interface device, and communicating a command over the first network connection to cause a function to be performed on the user interface device.

Lastly, independent claim 39 is directed to a method of acquiring an enhancement function for a presently-selected character icon which is displayed on a user interface device. The method of claim 39 includes the steps of accessing a service provider, accessing a content provider, determining whether the content provider is offering an enhancement function corresponding to the presently-selected character icon and, if so, providing to the user interface device the ability to acquire access to the enhancement function. The method also includes the steps of selecting an access code corresponding to the enhancement function, adding an authorization indicator to a user enhancement file remotely located from the user device, wherein the authorization indicator correspondence to the enhancement function, and indicating to a user that the enhancement function is available for use by the user.

Turning now to the Office Action, claims 1-45 stand rejected under 35 U.S.C. §103(a) from the combination of U.S. Patent No. 5,710,887 (Chelliah) in view of "Frequently Asked Questions: Basic Information About MUDs and MUDding", Jennifer Smith and Andrew Cowan, 1996-1999 (hereinafter "Smith/Cowan". For the following reasons, applicants respectfully traverse this rejection.

Chelliah describes a system and method which facilities commercial transactions between a plurality of customers and one or more suppliers of goods. A main aspect of Chelliah is to extend to e-commerce applications, with little modification, existing commercial subsystems used for physical (e.g. traditional) commerce. See, Chelliah Col. 2, lines 43-55. Thus, Chelliah provides a system and method for "e-commerce" which closely replicates commercial transactions in everyday life (Col. 2, lines 65-67). In other words, the focus of the Chelliah system and method is to provide an electronic commerce platform that closely resembles traditional physical commerce techniques so that customers (e.g. purchasers, users, etc.), will not be intimidated by electronic commerce and will, therefore, be more inclined to participate in e-commerce transactions. This is accomplished by establishing communication between a system user via, for example, a PC, and a goods supplier via a supplier server. The supplier server provides the user with information concerning the supplier goods, such as in the form of an e-catalog rendered on the user's PC. Based on inquires and/or selections made by the user, pricing and discount information as well as overall product information is accessed by the supplier server and conveyed to the user's PC. The user's purchase history and payment preferences are maintained in a "customer monitoring object" accessed by the supplier server. If a purchase is made, shipping information is provided by the supplier server to a shipping facility. (See, Col. 3, lines 18-65). All in all, therefore, Chelliah is nothing other than a well-known, by today's standards, e-commerce system wherein communication is conducted solely between a user device such as a PC, on the one hand and a goods provider ("supplier server"), on the other hand, via use of the Internet.

There is simply no teaching in Chelliah of a service provider server which is in communication with both (a) a user node, and (b) a subscriber advertiser node, as is recited in claim 1 of the subject application, or (a) a first network connection between a user device and a service

provider server, and (b) a second network connection between the user interface device and a content provider, as is recited in claims 17 and 33. Nor is there any teaching of (a) accessing a service provider and (b) accessing a content provider, as is recited in claim 39. Although the Office Action states that such features are present, and refers to Chelliah claim 1 (Col. 29, lines 3-23) for this teaching, this is not the case. As shown in FIG. 1 and as explained in Chelliah Col. 6, lines 26-43, customers of the Chelliah system interact only with an "electronic mall" 10 via user interface 13. There is no separate subscriber advertiser node that provides a separate route of communication or data exchange. For this reason alone, Chelliah, whether considered alone or in combination with any other reference, cannot render independent claims 1, 17, 33 and 39 obvious. Also for this reason alone, the claims depending from base claims 1, 17, 33 and 39 are also not rendered obvious.

In addition to the differences pointed out above between the subject application and Chelliah, the Office Action admits a further difference, namely, "Chelliah does not specifically teach the use of character icons with enhancement (and enhancement authorization) capabilities wherein the communication of a command effectuates a function on the user interface device pertaining to the character icon." See page 5, lines 1-3 of the Office Action. For this additional teaching, Smith/Cowan has been cited as rendering the independent claims obvious. Applicants respectfully disagree.

Smith/Cowan provides a general overview of a category of multiple-player computer games called "MUDs". As described therein, a MUD is a game wherein a player is assigned or can create a computerized persona or character that can be used to interact with other player characters by executing certain commands. Players gain experience through, for example, defeating monsters or other players in "battle". Muds are game specific and operate on "a largish workstation". See Smith/Cowan P.4, line 5. Moreover, each MUD platform is independently

supported, which makes it virtually impossible to use a character from a first MUD platform in a second MUD platform. Thus, enhancements -- to the extent they even exist -- obtained from a first MUD platform cannot be used in a different one.

Smith/Cowan does not state that the assigned or created character icon is graphically depicted to the user on the user's interface device. Moreover, and despite the Office Action's statement to the contrary (Office Action p. 5, lines 16-18), applicants have not located any teaching in Smith/Cowan that "users are rewarded with 'electronic monies' which allows users to purchase items, powers, etc.". Smith/Cowan also does not teach or suggest a user node in communication with a user interface device for depicting a character icon to a user, and a service provider server in communication with the user node and with a subscriber advertiser node for manipulating the character icon on the user device (as is set forth in claim 1). Nor does Smith/Cowan teach or suggest establishing a first network connection between a user device and a service provider server, providing data in the form of a character icon over the first network connection, establishing a second network connection for providing an enhancement authorization code to the user over the second network connection, and causing a function corresponding to the enhancement authorization code to be performed on the user interface device, as is set forth in claims 17 and 33. Similarly, Smith/Cowan does not teach a method which includes the steps of accessing a service provider, accessing a content provider, determining whether an accessed content provider is offering access to an enhancement function corresponding to a character icon, providing to the user device an ability to acquire access to the enhancement function, and indicating to a user that the enhancement function is available, as is set forth in claim 39.

Smith/Cowan is, in its most basic sense, directed to a type of high-level computer game and provides no suggestion or motivation to utilize the teachings of MUD's in the context of
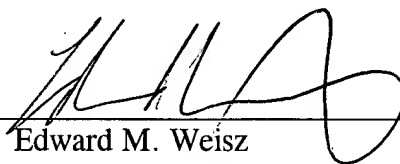
encouraging participants to view content over a network. Nor does Chelliah provide any motivation to combine its teachings with Smith/Cowan in the manner suggested in the Office Action to render the claims obvious. As to this latter point, paragraph 13 of the Office Action states that the "motivation to combine, found within Chelliah, is the need to accommodate marketing activities necessary for customer generation within the e-commence environment, (Col. 1, lines 63-67 and Col. 2, lines 1-3)" A review of these cited sections of Chelliah, however, reveals that the only marketing activities suggested are "simultaneously offering a multitude of price discounts, performing targeted advertising, or collecting sales feedback". There is no suggestion of the use of characters or icons with available enhancement features for the purposes of providing incentive for viewing content over a network. The Office Action's position in this regard can only be obtained through the use of impermissible hindsight. No one with ordinary skill in the MUDs arts would, without the benefit of applicants' invention, consider using the teachings of MUDs in combination with Chelliah in the manner suggested in the Office Action. Likewise, no one with knowledge of Chelliah would be motivated to combine the teachings therein with MUDs in the manner suggested by the Office Action.

In view of the foregoing, it is believed that all independent claims are not rendered obvious by Chelliah, whether considered alone or in combination with Smith/Cowan. Accordingly, independent claims 1, 17, 33 and 39, along with their dependent claims, are believed to be allowable.

It is believed that no fees or charges are required at this time in connection with the present application; however, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

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